

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ERNESTO SANTIAGO,)	
)	
Plaintiff,)	Civil Action No. 04-335E
)	
v.)	JUDGE McLAUGHLIN
)	MAGISTRATE JUDGE BAXTER
UNITED STATES OF AMERICA,)	
)	ELECTRONICALLY FILED
Defendant.)	

**DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME
TO FILE A RESPONSIVE PLEADING TO
PLAINTIFF'S MOTION FOR RECONSIDERATION**

AND NOW, comes the Defendant, United States of America (hereinafter referred to as "the Defendant"), by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Paul E. Skirtich, Assistant United States Attorney for said District, and, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, respectfully moves the Court to issue an Order enlarging for two (2) days, until November 14, 2005, the time within which Defendant may respond to Plaintiff's Motion to allow all appropriate agency officials to finalize and approve their review of the responsive pleading. An extension is requested due to illness of undersigned counsel. A brief extension is needed to complete the response.

The undersigned counsel did not contact the *pro se* Plaintiff since he is incarcerated, but is mailing a copy of this Motion.

WHEREFORE, Defendant, United States of America, respectfully requests that the Court issue an Order enlarging for two (2) days, the time within which Defendant may respond to Plaintiff's Motion for Reconsideration.

Respectfully submitted,

MARY BETH BUCHANAN
UNITED STATES ATTORNEY

s/Paul E. Skirtich
PAUL E. SKIRTICH
Assistant United States Attorney
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Enlargement of Time to File a Responsive Pleading to Plaintiff's Motion for Reconsideration was electronically filed and/or served by first-class mail, postage-prepaid, on this 9th day of November, 2005, to the following:

Ernesto Santiago
Plaintiff *Pro Se*
Reg. No. 90304-038
FCI McKean
Post Office Box 8000
Bradford, PA 16701

s/Paul E. Skirtich
PAUL E. SKIRTICH
Assistant U.S. Attorney